



PATENT APPLICATION  
Docket: 13914.849.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
Michael L. Olson )  
Serial No.: 10/770,273 ) Art Unit  
Filed: February 2, 2004 ) 3764  
Conf. No.: 9600 )  
For: EXERCISE DEVICE WITH RESISTANCE MECHANISM )  
HAVING A PIVOTING ARM AND A RESISTANCE )  
MEMBER )  
Examiner: Unknown )

## TERMINAL DISCLAIMER

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The petitioner, ICON IP, Inc., a corporation of the State of Utah, having a principal place of business at 1500 South 1000 West, Logan, Utah 84321, represents that it is the assignee of the entire right, title, and interest in and to the above-identified application Serial No. 10/770,273, as recorded in the United States Patent and Trademark Office at Reel 013939, Frame 0124; and in accordance with 37 CFR 3.73(b) certifies that it is the assignee of the entire right, title, and interest in United States Patent No. 6,685,607 having application serial no. 10/340,562 as recorded on reel 013939, Frame No. 0124.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application Serial No. 10/770,273 which would extend beyond the expiration date of United States Patent No. 6,685,607 and hereby agrees that any patent so granted on the above-identified application Serial No. 10/770,273 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,685,607, this agreement to run with any patent granted on the above-identified application Serial No. 10/770,273 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the above-identified application Serial No. 10/770,273 or any continuation application thereof prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,685,607 in the event that said United States Patent No. 6,685,607 later expires for failure to pay maintenance fees, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

DATED July 10, 2006.

By:   
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David B. Dellenbach  
Attorney for Applicant

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